

IN THE UNITED STATE DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

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UNITED STATES OF AMERICA,

Plaintiff,

v.

CR. NO. 2:23-cr-20191-MSN-5

EMMITT MARTIN, III,  
TADARRIUS BEAN, DEMETRIUS  
HALEY, DESMOND MILLS, JR.,  
AND JUSTIN SMITH

Defendants

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— DEFENDANT, JUSTIN SMITH'S, MOTION TO CONTINUE STATUS CONFERENCE

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COMES NOW, the Defendant, Justin Smith, and moves this Court to reset the June 20, 2025, Status Conference and, in support, states the following:

1. On June 16, 2025, at approximately 10:00 a.m., the undersigned received notice from this Court of an in person setting of a Status Conference for June 20, 2025, at 10:00 a.m. with the Defendant present. (ECF No.: 856)
2. Counsel for Justin Smith is a solo practitioner and is unable to call upon anyone else in his office to stand in for the undersigned. The Honorable David Camp has been retained by Justin Smith to serve as appellate counsel, but Mr. Camp has only just now been retained, and it could be problematic regarding his knowledge of the underlying historical facts which triggered Judge Norris' recusal and cancellation of sentencing. Mr. Camp did not take part in either the State or Federal Trials and has been retained solely for his appellate practice.

3. The undersigned, as lead counsel for Defendant, Justin Smith, requests that this Status Conference be continued briefly as he has preplanned out of town travel with his family that conflicts with the date and time set by the Court.

4. The undersigned planned the trip in question to include Wednesday, June 18, 2025, through Sunday, June 22, 2025, having anticipated that the long judicial process of the Justin Smith cases would be concluded on or about June 16, 2025. Since the original federal and state indictments and respective trials, the undersigned has never asked for a continuance due to personal travel until now.

5. As a result, counsel for Justin Smith moves to reset the Status Conference currently scheduled for June 20, 2025, at 10:00 a.m. As an alternative, the undersigned would be able to attend by video conferencing if that is determined by the Court to be acceptable.

6. The undersigned is available for in-person status conferences the next week, June 23, 2025, through June 26, 2025, but has another case set for June 27, 2025, in Dyersburg, Tennessee which was court ordered and involves seven (7) other litigants.

7. The undersigned does not does not bring the present motion for delay or other improper motives, and the requested relief should not impact other case deadlines.

WHEREFORE, PREMISES CONSIDERED, the undersigned prays that this Honorable Court permit a slight extension of time of the setting or possibly permit the undersigned to attend via video conference.

Respectfully submitted,

/s/Martin Zummach

Martin Zummach #16352

Attorney for Defendant, Justin Smith

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Southaven, MS 38672

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CERTIFICATE OF SERVICE

The undersigned certifies that on the 16<sup>th</sup> day of June, 2025, a copy of the foregoing document was electronically filed with court clerk using the ECF System, and that upon filing, a copy will be sent via the Court's ECF System to all registered parties in this case.

*S/Martin Zummach*

CERTIFICATE OF CONSULTATION

The undersigned hereby certifies that on June 16, 2025, he communicated with AUSA, David Pritchard, and Mr. Pritchard has no objection to the continuance and consents to same.

S/Martin Zummach